TL6554-12

CNRM at UN Decol. Comittee

Statement by Constancio Pinto, Representative of the National Council of Maubere Resistance

to the United Nations Special Committee on Decolonization, New York, July 13 1994

I am Constancio Pinto, the Representative of the National Council of Maubere Resistance to the United Nations.

Allow me, Mr. Chairman, to explain the Organization that I belong to. The National Council of Maubere Resistance, CNRM, is the main organization of East Timorese nationalists struggling for self-determination and independence. The CNRM was created in 1988 by Resistance Leader Xanana Gusmao as a unifying non-partisan body bringing together the Timorese political forces, "Forcas Armadas de Libertacao de Timor-Leste" (FALINTIL), and all the underground East Timorese political resistance groups operating in East Timor and Indonesia.

The CNRM has thus emerged as the organization embodying all currents of East Timorese nationalism, and the chief vehicle through which it is expressed, both inside Indonesia and occupied areas, and the Diplomatic Front operating overseas.

The CNRM's leadership inside East Timor is grouped into the Executive Council of the Armed Resistance (made up of four people) and the Executive Council of the Clandestine Front (made up of five people). The Armed Resistance is led by Falintil, whose main leader is Nino Konis Santana, who is also the chief of Fretilin. The Clandestine Front is led by Sabalae.

Aware of the country's location, the CNRM believes in close and harmonious relations with all neighboring states in Asia and the South Pacific. The independent Republic of East Timor will seek membership in both ASEAN and the South Pacific Forum. Close ties with Portugal will also be maintained given the high moral standing it has shown through its abiding commitment to East Timorese self-determination.

East Timor is at the crossroads of three major cultures and religions: Melanesian, binding its people to the South Pacific; Malay-Polynesian, as many East Timorese trace their roots to Southeast Asia; and, European, a result of the four centuries of Portuguese Catholic presence. This influence give the East Timorese nation-state a distinct character. It could be a valuable partner for ASEAN and South Pacific Forum member states in their relations with the European Union, Africa and Latin America. The majority of East Timorese exiles are resident in Australia and Portugal. They could contribute to the bridging role of East Timor between their adopted countries and South Pacific states.

The CNRM envisages an independent Republic of East Timor without a standing army. External security will rely on a Treaty of Neutrality, guaranteed by the Permanent Members of the UN Security Council. Working with its neighbors and the United Nations, East Timor will endeavor to declare the country's surrounding seas a Zone of Peace, and to work towards demilitarization of the Southeast Asian and South Pacific regions. The CNRM aspires to a strong democratic state based on the rule of law, emanating from the will of the people expressed through free democratic elections. Development of a free information media, as independent as the judiciary, will be encouraged. Firmly believing in the universality of human rights, transcending state boundaries and prevailing over state sovereignty, an independent East Timor will contribute to the strengthening of human rights. The creation of an International Human Rights Court and a penal court to try crimes against humanity will be actively supported. All human rights treaties will be submitted to the East Timorese Parliament for ratification.

Free education and health care is essential for the welfare of the population, and thus significant investments in these areas will be required. The money saved from not supporting a standing army will be well used in these areas. A healthy, sane and happy society cannot be based on hatred and revenge, therefore a general amnesty and national reconciliation will be proclaimed, aimed at forgiving current enemies. Because of its credibility and good standing over the past twenty years, the East Timor Church will be expected to play a major role in the healing process. The issues of resettlement for the many thousands up-rooted throughout the last two decades, as well as compensations for properties lost will need to be addressed. Also, over 100,000 Indonesians have settled in East Timor, many of them looking for a better life. Those who are willing to abide by East Timorese laws and live in harmony as members of the society will be welcome to stay and join in building a better future for everyone. The wealth of their culture could be an enriching contribution to the future of East Timor.

East Timor is potentially self-sufficient in most agricultural goods, meat and fish. It has large oil reserves and other minerals. After independence, economic resources will be channeled into food production for the population. Government policies will be a result of close consultation with the people in each region, town and village. The cooperation of UN Specialized Agencies will be sought to implement a reforestation program to save the badly damaged environment. International partnership in the explorations of underground natural resources such as oil will be sought. However, the environment must not be sacrificed for short term gains. The "Timor Gap Treaty" will be looked at, clarification sought, and renegotiated. The sea boundary dispute will have to be settled through an international tribunal.

Consistent with the enhanced peace-making role of the United Nations, the CNRM has advanced a plan to assist the UN Secretary General's mandate to find a solution to the East Timor conflict. The plan is congruous with statements by East Timor Catholic Church leader Bishop Belo, and consistent with current UN and Portuguese approaches. The plan has also received support in the US Congress, Europe, Canada and Japan. Indonesia's friends have been able to perceive its value as a potential means of assisting Jakarta to conveniently extricate itself from its East Timor quagmire.

Allow me, Mr. Chairman, to elaborate on the CNRM Peace Plan.

Phase One (one to two years): Indonesia-Portugal talks under the auspices of the UN Secretary General, with East Timorese participation, to achieve an end to armed activities in East Timor; release of political prisoners; reduction of Indonesian military personnel; removal of armaments; expansion of the activities of the International Committee of the Red Cross; reduction of Indonesian civil servants; population census; access by UN specialized Agencies for restoration and protection of the environment, resettlement, district development, women and child care and public health and immunization; restoration of all human rights, removal of restrictions on Portuguese and Tetum languages; setting up of an independent Human Rights Commission; establishment of a United Nations headquarters in East Timor.

Phase Two -- autonomy (five years): This is a transition stage of autonomy in which East Timorese would govern themselves democratically through their own local institutions. This would require democratic elections of a local Assembly with a five - year mandate under the supervision and assistance of the United Nations. Only East Timorese may vote and be elected; election of an East Timorese Governor for a five year term by the Assembly; Assembly powers to include legislation concerning international trade relations, investment, property, immigration and other matters; withdrawal of all Indonesian troops and further reduction in the number of Indonesian civil servants; territorial police force organized by the United Nations placed under the command of the governor, the territory is to have no army. Phase two may be extended by mutual consent between Indonesia and the East Timorese population expressing their views through a referendum.

Phase Three -- self-determination: Covers preparation for a self-determination referendum, to be held within one year of the commencement of this phase, whereby the population may choose between free association or integration into Indonesia, or independence.

Now, I would like to provide information about the current situation in East Timor.

Based on a report by the Head of the Executive Council/Armed Front, Nino Konis Santana, dated June 16,1994 members of the Indonesian security forces continue to engage in gross and systematic abuse of human rights.

Nino Konis Santa reports referred to an incident that took place on May 6, 1994 in the locality of Uelau, approximately 3 kilometers West of the village of Mau Kate. "A young boy named Marcelo, son of Mau Buti and Si Mau, was assassinated by an Indonesian military patrol.

Marcelo and his 3 brothers went on a food hunting expedition ("Sari hidup") with a permission granted by the local military authorities. The brothers' dog spotted a deer, chased it, and after hunting the deer down killed it. The boys made a fire to cook the deer and when the smoke rose from the fire, it attracted the attention of one platoon from either battalion 745 or 717 operating in that zone. The soldiers went in the direction of the smoke and surrounded the four boys who were unarmed civilians. In spite of knowing that, the commander of the platoon ordered his men to open fire emptying a full magazine from M16 automatic rifles, as if they were firing on armed guerrilla fighters in open combat. Marcelo was shot in the stomach, and could not move, while the other three were able to escape. Marcelo called out identifying himself but

the soldiers continued to fire. The commander then ordered that a hand grenade be thrown to kill Marcelo. As if this was not enough, the commander put Marcelo's dead body against a tree and invited his soldiers to see what a good shot he was and how they should shoot the " GPK" (security disturbers) and their supporters, and proceeded to empty another magazine into the boy's corpse. Marcelo's heart was expelled from his body out through his back. After this inhuman crime, they threw his dead body into the river and cracked open his skull with rocks".

Marcelo's case is not isolated. On June 10, six prisoners were removed from Dili to Semarang prison in Java without informing their families. The six prisoners are Francisco Miranda Branco, Jacinto Alves, Filomeno Pereira, Juvencio Martins, Gregorio Saldanha and Saturnino da Costa Belo.

Other cases are Jose Manuel da Silva Fernandes, a young boy, arrested in January 1992, who is now being held by the army in Vikeke and is not allowed any visits by the International Red Cross nor by his relatives. Horacio da Costa, arrested in Same in August 1992, is now being held by the army in Betano.

The situation prevailing in East Timor is characterized by an escalation of military aggression and intensification of political repression. Solemn commitments undertaken by the Foreign Minister of Indonesia Mr. Ali Alatas to the Commission on Human Rights and to the Secretary General in New York on September 17, 1993 and at the Geneva talks on May 6, 1994 have been systematically violated. The practice of torture is routine.

We hope that the Indonesian authorities allow Mr. Bacre Waly Ndiaye, the United Nations special rapporteur, who is now in East Timor to investigate all these atrocities and especially to investigate the massacres of November 12, 1991, and at the Military Hospital in Dili, both shown in the film "Death of a Nation".

Mr. Chairman, allow me to explain the reconciliation talks. We know that Mr. Abilio de Araujo, who was recently expelled from the Fretilin party and who masterminded the reconciliation talks, visited the United Nations. His visit had as main purpose to convince the United Nations to send observers to the second reconciliation talk in Rome. This talk is being cosponsored by the Indonesian Secret Service. Therefore the National Council of Maubere Resistance publicly denounces the persistence of Mr. Abilio de Araujo to continue a political adventure that only causes upheaval among the Timorese, and delays the United Nations' efforts to obtain a peaceful outcome for East Timor based on the UN resolutions. These reconciliation talks have not been accepted by the different forces that are struggling for East Timor's independence, particularly by the Catholic church in East Timor and the Resistance movement in and outside of the island. There is no doubt that the reconciliation talks are orchestrated by the Indonesian government with the purpose of demobilizing the Timorese Resistance, and of halting any diplomatic attempts by the international community.

The CNRM position is inalterable: We are ready to participate in any dialogue that seeks an effective solution to the conflict in East Timor under the United Nations' aegis. Moreover, we are ready to participate at the meeting that was convened in Geneva on May 6, to be held in the near future, between Timorese pro independence and Timorese pro integration with Indonesia, with representatives from Indonesia and Portugal respectively. This meeting, which is being organized by the United Nations, is the only one format that the CNRM considers credible and valid.

Mr. Chairman, to conclude I wish to express our gratitude to the Secretary General of the United Nations for his steadfastness in addressing the problem of East Timor and to find a just and lasting solution based on our inalienable right to self-determination. We hope that by the time we arrive at the meeting with the foreign ministers of Portugal and Indonesia, there will be real progress in the human rights situation in East Timor and the discussions of the political aspect of this problem.